

REMARKS

Claims 1-23, 25-58 and 60-63 are pending in this application, with claims 1, 25, 36, 60 and 61 being independent. Claims 25-35 have been previously withdrawn. Claims 24 and 59 have been canceled, and claims 1, 11, 12, 14, 16, 18, 19, 22, 23, 36, 46, 47, 49, 51, 53, 54, 57, 58, 60 and 61 have been amended. Support for the amendments may be found in the published application (U.S. Patent Application Publication No. 2004/0177122) at least at paragraphs 0012, 0051, and 0124. No new matter has been introduced.

Independent claim 60 has been rejected as being directed to non-statutory subject matter because the claim recites "means for" limitations and the application specification mentions that the invention can be a software-only implementation. Applicants have amended claim 60 to recite that the apparatus includes one or more processing devices controlled by software. The claimed apparatus, therefore, cannot be software-only. Accordingly, applicants respectfully request reconsideration and withdrawal of this rejection.

Claims 1, 36, 60 and 61 have been rejected as being anticipated by or unpatentable over Isaacs (U.S. Patent No. 6,760,754). Independent claim 1, as amended, recites that the audio identifier that identifies the sender and that is designated by the sender is rendered multiple times in repetition in response to receipt of the digital communication, each of the multiple renderings being prior to or concurrent with perception of the digital communication by the recipient. Applicants request reconsideration and withdrawal of the rejection of claim 1, and its dependent claims, because Isaacs does not describe or suggest this feature.

Isaacs describes a system and method for allowing users to communicate with each other via sound messages and personal sound identifiers. In particular, a user of Isaacs system is able to select one or more sound messages for transmission to one or more other users in a network. Each sound message, which the Examiner equates to the recited digital communication, is preceded by a personal sound identifier, which the Examiner equates to the recited audio identifier, when played to a receiving user. The personal sound identifier identifies the sending user and was selected by the sending user. Notably, Isaacs does not describe or suggest that a

user's personal sound identifier is rendered multiple times in repetition in response to receipt of a sound message. Rather, Isaacs describes the personal sound identifier being played a single time when a sound message is received. See col. 8, lines 7-29.

For at least this reason, applicants request reconsideration and withdrawal of the rejection of claim 1 and its dependent claims.

Independent claims 36 and 60, although different in scope from claim 1, recite limitations similar to those of claim 1 but in the context of a computer system and an apparatus, respectfully. Accordingly, for at least the reasons described above, applicants request reconsideration and withdrawal of the rejections of claims 36 and 60, and their dependent claims.

Independent claim 61, as amended, recites that the identifier that identifies the sender and that is designated by the sender is rendered multiple times in repetition in response to receipt of the digital communication, each of the multiple renderings being prior to or concurrent with perception of the digital communication by the recipient. For at least the reasons described above, applicants request reconsideration and withdrawal of the rejection of claim 61, and its dependent claims, because Isaacs does not describe or suggest this feature.

Applicants submit that all claims are in condition for allowance.

No fees are believed due in connection with this filing. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,



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